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PATENT  
4510-0105P

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JUN 30 2003  
PATENT & TRADEMARK OFFICE

IN THE U.S. PATENT AND TRADEMARK OFFICE

Applicant: BASSETTE, et al. Conf.: 3008  
Appl. No.: 09/830,114 Group: 2681  
Filed: June 20, 2001  
For: METHOD AND DEVICE FOR ADAPTIVE BANDWIDTH  
PITCH SEARCH IN CODING WIDEBAND SIGNALS

RECEIVED  
JUL 02 2003  
OFFICE OF PETITIONS

NOTIFICATION OF ERRONEOUS PAYMENT OF SMALL ENTITY FEES  
UNDER 37 C.F.R. § 1.28

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

June 30, 2003

Adjustment date: 07/14/2003 AKELLEY  
04/26/2001 UEDB 13E 00000045 09830114  
01 FC:971 -430.00 OP  
02 FC:254 -65.00 OP  
03 FC:967 -387.00 OP

It is respectfully noted that the above-identified application does not qualify for small entity status under 37 C.F.R. § 1.27(a).

Small entity status was established with the filing of the application on June 20, 2001, and the small entity filing fee was paid in good faith. It has since been discovered that this status as a small entity was established in error, without the intent to deceive.

It is therefore respectfully requested that the error be excused. The following items are being submitted to comply with the requirements of 37 C.F.R. 1.28(c):

- (1) Separate submission for each application or patent.

This request is being submitted in connection with  
Patent Appl. No. 09/830,114.

- (2) Payment of deficiency owed.

Adjustment date: 07/14/2003 AKELLEY  
07/02/2003 ANONDAF1 00000019 09830114  
01 FC:1461 -922.00 OP

07/02/2003 ANONDAF1 00000019 09830114

01 FC:1461 922.00 OP

A \$922.00 small entity filing fee and  
additional claims fee under 37 C.F.R. §

09830114  
130.00 OP  
774.00 OP  
900.00 OP  
07/14/2003 AKELLEY  
01 FC:1617  
02 FC:1615  
03 FC:1613

Appl. No. 60/366,243

1.482 and \$65.00 Surcharge Fee under § 1.492(e) was paid on June 20, 2001, with check number 4017451. Accordingly, the deficiency owed is \$922.00.


(ii) A check in the amount of \$922.00 is attached hereto, as payment of the deficiency owed.

It is again noted that the previous establishment of small entity status was made in error, without the intent to deceive. As it is believed that the requirements of 37 C.F.R. § 1.28(c)(1) and (c)(2) have been met, it is respectfully requested that the error be excused and that the U.S. Patent and Trademark Office forward appropriate notification to the undersigned.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17; particularly, extension of time fees.

Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP

By   
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Marc S. Weiner, #32,181

MSW/HNS/ndb  
4510-0106P

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